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REED HUNDT, CHAIRMAN
FEDERAL COMMUNICATIONS COMMISSION
1919 M ST NW
WASHINGTON DC 20554

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OCT 17 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: Request for Stay
Matter of Interstitial Channel Assignments
PR Docket 92-235 "Refarming"

Dear Chairman Hundt:

The City of Mountain View is located in the San Francisco Bay Area just north of San Jose. Mountain View's population is approximately 71,300 within the 11 square miles of the City.

Mountain View is licensed to operate a two channel conventional Public Safety radio system in the UHF 480 MHz "T" (Television Band). Additionally, Santa Clara County Communications operates and maintains a Law Enforcement Mutual Aid radio system in the UHF 480 MHz "T" Band which serves all fifteen cities and the unincorporated areas within our County. Many of these cities also operate/maintain primary public safety radio systems in similar 480 MHz frequencies.

The Federal Communications Commission adopted a rules change, PR Docket 92-235 on October 14th which becomes effective on October 17th, 1997, unless a stay is initiated. This action impacts frequency allocations, including dividing much of the existing land mobile radio spectrum into narrower channels. The impact of this Docket and this recent action upon our channels is of a particular concern.

In all other portions of the spectrum below 512 MHz, currently there are "block" allocations with specific blocks dedicated to public safety and other blocks dedicated to non-public safety users. In the 470-512 MHz band the FCC has inserted a new 12.5 KHz channel between all of the existing 25 KHz spaced channels. In the recent FCC action, rule changes related to PR Docket 92-235, will place all of these new or interstitial channels into a common pool. This means that industrial and other non-public safety applicants would have equal rights to a 12.5 KHz channel immediately adjacent to our public safety channels. The impact of this change is a major concern to the City of Mountain View. A problem lies in the different philosophies of allocation between public safety and non-public safety radio systems.

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Reed Hundt, Chairman, FCC
October 16, 1997

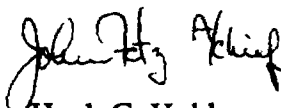
Congestion in all public safety bands is a serious challenge in the San Francisco Bay area – Public Safety communications needs far exceed channel availability in our area. Our APCO frequency coordinators do an excellent job of overseeing the assignment process. While there is a high degree of integrity between the various public safety coordinators, this relationship does not exist between public safety coordinators and non-public safety coordinators. Also, these non-public safety coordinators sometimes make recommendations based on introducing some degree of destructive interference, due to the non-critical use of their channels. While non-public safety users accept interference – public safety officers do not – as their lives may depend on it. APCO attempts to coordinate all requests in a manner that will not result in destructive interference to existing licensees. Also, power output and antenna heights are limited to attempt to keep the signals confined to the proximity of the applicant's political jurisdiction. Conversely, most non-public safety applicants are desirous of obtaining a broader coverage area to expand their customer base and to accommodate wide ranging mobile units. These two methodologies are incompatible, and place public safety at an extreme disadvantage when faced with competition for a channel with a non-public safety applicant. A further disadvantage is that public safety entities are almost always subject to a lengthy procurement and implementation process. Non-public safety users do not have this problem – hence new channels will be gobbled up by entrepreneurs or non-public safety users immediately. Historically the record shows that speculators immediately attempt to license channels for potential brokerage or future value rather than for their own use. If this "pool" is opened that is what we can expect.

The only protection we have as an existing public safety user is with the frequency coordination process in place now which will disappear on October 17th. **Our City has a great concern with the adopted rules change for PR-Docket 92-235 which mandate APCO frequency coordinators use the LMCC criteria or parameters for frequency assignments and allows the "pool" of interstitial channels to be opened to all non-public safety users.**

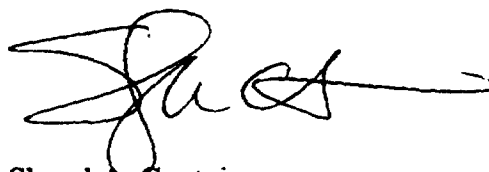
The City of Mountain View requests that the Commission stay their recent action and clarify their rules to ensure that non-public safety entities will not be permitted to license channels 12.5 KHz adjacent to public safety licensees.

We thank you for your prompt consideration of our views on this important issue.

Sincerely,



Hugh G. Holden
Fire Chief



Sheryl A. Contois
Emergency Communications Manager

cc: Senator Feinstein, Senator Boxer
CM, PC, CA